FILED
DEC 12 2002
CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

ASA WASHINGTON,
Petitioner-Appellant
v.
ERNEST C. ROE, Warden,
California State Prison at
Lancaster,
Respondent-Appellee

No. 02-55702

D.C. No. CV-96-08315-WDK

MEMORANDUM

Appeal from the United States District Court
For the Central District of California
William D. Keller, District Judge, Presiding

Argued and Submitted December 4, 2002
Pasadena, California

Before: D.W. NELSON, T.G. NELSON, Circuit Judges, and SCHWARZER, District Judge.

Asa Washington ("Washington") appeals the denial of his federal habeas petition below on grounds that his trial counsel provided constitutionally ineffective assistance. We have jurisdiction pursuant to 28 U.S.C. Section 2253, and we affirm.

We review de novo a district court's decision to deny a section 2254 habeas petition. *Killian v. Poole*, 282 F.3d 1204, 1207 (9th Cir. 2002). However, because Washington sought habeas relief in federal district court after April 24, 1996, the Antiterrorism and Effective Death Penalty Act ("AEDPA") also governs his petition. 28 U.S.C. Section

2254; *Killian*, 282 F.3d at 1207. We may grant federal habeas relief in cases adjudicated on the merits in state court only where (1) the disposition resulted in a decision contrary to, or involving an unreasonable application of, clearly established federal law as determined by the Supreme Court, or (2) the state court, in coming to its decision, relied on an unreasonable determination of the facts in light of the evidence presented. 28 U.S.C. Section 2254(d).

Based on the record, Washington has not shown how the state court ruling that denied his habeas petition alleging an ineffective assistance of counsel claim resulted in an unreasonable application of clearly established federal law or relied on an unreasonable determination of the facts in light of the evidence presented.

AFFIRMED.